

**IN THE UNITED STATES DISTRICT
COURT FOR THE DISTRICT OF
MASSACHUSETTS**

JOSEPH MANTHA on behalf of
themselves and others similarly situated,

Plaintiff,

V.

QUOTEWIZARD.COM, LLC

Defendant.

Case No. 1:19-cv-12235-LTS-PK

**PLAINTIFF’S MOTION FOR LEAVE TO FILE A SUR-REPLY TO COURT’S
REQUEST FOR BRIEFING ON CLAIM OF BURDEN AS TO THE
PRODUCTION OF DO NOT CALL REQUESTS**

Plaintiff Joseph Mantha (“Plaintiff”) seeks leave to file a six-page Sur-Reply to respond to a newly offered proposed compromise by defendant QuoteWizard.com, LLC (“QuoteWizard”) in ECF 165 regarding the production of records that the Court ordered QuoteWizard to obtain from its telemarketing agent. QuoteWizard itself asserts that it lacks the ability to enforce even its limited compromise and makes additional arguments to which Plaintiff wants to respond regarding relevance and the appropriate scope of discovery.

Certification Pursuant to Local Rule 7.1(a)(2)

Undersigned counsel certifies that he attempted to confer with opposing counsel on March 26, 2021 in an effort to narrow the issues raised by this motion but was unable to reach Mr. Polansky or Ms. Kingston by email or phone and is accordingly filing the motion as without assent.

RESPECTFULLY SUBMITTED,
PLAINTIFF,

By his attorneys

/s/ Edward A. Broderick
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Date: March 26, 2021

CERTIFICATE OF SERVICE

I hereby certify that on March 26, 2021, I electronically transmitted the foregoing to all counsel of record via the electronic filing system.

By: /s/ Edward A. Broderick
Edward A. Broderick